

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DONALD MORRIS LEE,)	
)	CASE NO. C14-5309-RSL-MAT
Petitioner,)	
)	
v.)	ORDER STRIKING PETITIONER'S
)	PENDING MOTIONS
PATRICK GLEBE,)	
)	
Respondent.)	
_____)	

This is a federal habeas action proceeding under 28 U.S.C. § 2254. Currently pending before the Court are petitioner's motion for an injunction and petitioner's motion to compel. Respondent has not responded to petitioner's motions and the Court deems a response unnecessary. The Court, having reviewed petitioner's pending motions, and the balance of the record, hereby ORDERS as follows:

(1) Petitioner's motion for an injunction (Dkt. 23) is STRICKEN. Petitioner complains in the instant motion that a corrections counselor at his current place of incarceration, the Stafford Creek Corrections Center ("SCCC"), has improperly held his legal mail and has, on occasion, refused to send it. Petitioner seeks an Order from this Court

01 directing corrections staff at SCCC to cease interference with his mail. This Court has no
02 authority to grant such relief. The member of the SCCC corrections staff identified by
03 petitioner in his motion is not a defendant/respondent in this action and, thus, the Court has no
04 jurisdiction to enjoin that individual's conduct. Moreover, it is not clear from petitioner's
05 motion that the alleged interference with his mail has impacted this action in any way. If
06 petitioner encounters future delays in the processing of his mail which directly impact this
07 action, he may request additional time to comply with any deadlines established by this Court.
08 There are no current deadlines requiring action by petitioner.

09 (2) Petitioner's motion to compel (Dkt. 24) is STRICKEN. Petitioner asks that
10 documents requested by him be delivered to the Court no later than the date on which the
11 respondent's answer is due. He also appears to request that the Court give notice to various
12 defense agencies that sensitive documents over which petitioner previously had control have
13 been seized by the State of Washington. The Court presumes that the documents referenced
14 by petitioner are those portions of the state court record relevant to resolution of his federal
15 habeas claims. Respondent is expected to submit such documents in conjunction with his
16 answer to petitioner's petition. No separate order is required. To the extent petitioner
17 requests that notice be given to defense agencies regarding the alleged seizure of sensitive
18 documents by the State of Washington he has requested relief beyond the scope of this Court's
19 jurisdiction.

20 (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for
21 respondent, and to the Honorable Robert S. Lasnik.

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01 DATED this 18th day of July, 2014.

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04 Mary Alice Theiler
05 Chief United States Magistrate Judge
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